

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL MINUTES

Date: June 30, 2021

Time: 9:24 AM – 10:43 AM
(1 hour, 19 minutes)

Judge: LUCY H. KOH

Case No.: 16-cr-00519-
LHK-1

Case Name: UNITED STATES v. Johnny Ray Wolfenbarger (P)(C:N)

Attorney for Plaintiff: Marissa Harris and Maia Perez

Attorney for Defendant: Severa Keith

Deputy Clerk: Kassandra Dibble

Court Reporter: Ana Dub (9:24 AM – 10:29 AM);
Recorded 10:30 AM – 10:43 AM

Interpreter: None requested

Probation Officer: N/A

PROCEEDINGS

Status Conference held via Zoom videoconference remotely. All parties, including Defendant Wolfenbarger, appeared via videoconference. Defendant was present and out of custody.

The Court shortened the August 6, 2021 jury trial from eight days to six days. Trial will be held on August 6, 9, 10, 11, 12, and 13, 2021. Trial will take place from 9:00 a.m. to 4:30 p.m. each day. Each side will have 20 minutes for attorney voir dire for each batch of 50 jurors. 12 jurors and 3 alternates will be selected.

By July 2, 2021, the parties shall file a brief joint description of the case. By July 14, 2021, the parties shall email in Microsoft Word version to lhkpo@cand.uscourts.gov and file joint proposed preliminary jury instructions, joint proposed final jury instructions, and a joint proposed verdict form. By July 21, 2021, the parties shall file their final witness lists and exhibit lists.

The Court set a discovery completion deadline for both parties on July 16, 2021. The parties shall meet and confer regarding any disputes by July 23, 2021. The parties shall file any stipulations by July 26, 2021.

The parties may file up to two motions *in limine* of no more than two pages each by July 26, 2021. Any oppositions are due by July 27, 2021. Oppositions must be no more than two pages each.

The Court will hold a Further Status Conference on **Wednesday, July 30, 2021 at 9:15 a.m.** via Zoom videoconference remotely.

By August 2, 2021, the Court will propose hardship and cause excusals based on the jury questionnaire responses. The parties shall file responses either consenting or objecting to the Court's proposals by August 3, 2021. On **Wednesday, August 4, 2021 at 2:00 p.m.**, the Court will hold a jury selection conference to discuss remaining cause and hardship excusals. The August 4, 2021 jury selection conference will be held in-person in Courtroom 8, 4th Floor of the San Jose Courthouse. Following the jury selection conference, the parties shall have a technology courtroom walkthrough with the Courtroom Deputy.

The Court previously made excludable time findings through the trial date of August 6, 2021. *See* ECF No. 319.